

THE COMPREHENSIVE ENVIRONMENTAL RESPONSE,
COMPENSATION AND LIABILITY ACT (CERCLA)

R6-14-14-G Eligible Response Sites

1. AUTHORITY. To exercise the Agency's authority pursuant to Section 101(41)(B)(ii) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, to make determinations on a site-by-site basis that limitations on enforcement under Section 128 would be appropriate and will protect human health and the environment, and will promote economic development or facilitate the creation of, preservation of, or addition to a park, a greenway, undeveloped property, recreational property, or other property used for nonprofit purposes.

2. TO WHOM DELEGATED. This authority is delegated through the Superfund Division Director to the Superfund Division Deputy Director.

3. LIMITATIONS.

a. The delegates must exercise this authority in consultation with the Assistant Administrator for Enforcement and Compliance Assurance and the Assistant Administrator for Solid Waste and Emergency Response or their designees. The Assistant Administrator for Enforcement and Compliance Assurance and the Assistant Administrator for Solid Waste and Emergency Response or their designees may waive, in whole or in part, this limitation by memorandum.

b. The delegates must obtain the concurrence of the Regional Counsel or the Regional Counsel's designee prior to exercising the authority described in paragraph 1.

4. REDELEGATION AUTHORITY. The authorities may not be redelegated further.

5. ADDITIONAL REFERENCES.

a. Sections 101(39), 101(41), and 128 of CERCLA.

b. Sections 211 and 231 of the Small Business Liability Relief and Brownfields Revitalization Act.

c. Executive Order 13308, June 20, 2003.

Delegation of Authority from the
Regional Administrator

